

REMARKS**BEST AVAILABLE COPY**

Claims 20-30, 32-43, 45-47, and 49-53 are pending in the application, claims 31, 44, and 48 being canceled herein. Claims 1-19 were previously canceled owing to a restriction requirement, without prejudice to refiling the claims in a divisional application. Claims 20, 30, 45, and 51 will be the only independent claims upon entry of the present Amendment.

Claims Rejections - 35 U.S.C. § 103

Claims 20-30, 35-47, 50 and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,655,698 to Yoon in view of U.S. Patent No. 457,787 to Leisenring.

The Examiner has indicated that claims 31-34, 48, 49, 51, and 52 contain allowable subject matter.

Pursuant to the Examiner's indication of allowable subject matter, applicant has amended independent claims 20 and 30 to incorporate the subject matter of claims 48 and 31, respectively. In addition, dependent claim 51 has been amended to incorporate the subject matter of claim 20, from which claim 51 depended. Claims 20, 30 and 51 are thus equivalent to claims 48, 31, and 51 rewritten in independent form including essentially all of the limitations of the main claim and any intervening claims. (The shape of the jaws has been deleted from at least some of the claims as being an inessential feature of the invention. Patentability still resides in the dependent claim recitations.) Claims 20, 30, and 51 are allowable as indicated by the Examiner.

In response to the rejection of claim 44 under 35 U.S.C. § 103(a), that claim has been canceled.

Applicant respectfully traverses the rejection of claim 45 inasmuch as the references relied on by the Examiner do not teach or suggest a "a bulging portion located

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on one side of said axis and extending from said proximal end partially along a length of said sidewall towards said distal end."

The sidewall of the Leisenring speculum is a smooth slightly tapered cylindrical form, without any irregularity or asymmetry such as a bulge or protrusion.

The claim amendments, if any, made herein are made without prejudice to applicants' current right to pursue additional subject matter in a separate continuation or divisional application.

Conclusion

For the foregoing reasons, independent claims 20, 30, 45, and 51, as well as the claims dependent therefrom, are deemed to be in condition for allowance. An early Notice to that effect is earnestly solicited.

Should the Examiner believe that direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C.

By: R. Neil Sudol
R. Neil Sudol
Reg. No. 31,669

714 Colorado Avenue
Bridgeport, CT 066-05-1601
(203) 366-1560

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